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India: Passport issuance procedures within India Research Directorate, Immigration and Refugee Board of Canada, Ottawa

The Web site of the Consular, Passport and Visa (CPV) Division of the Ministry of External Affairs of India indicates that an application for a passport can be submitted by the applicant or through a designated representative by way of an "authority letter," a template of which is available on the CPV Web site (n.d.a). The original documents have to be shown at the time of submission of the passport application form and self-attested copies must accompany the application form (India n.d.d). Applications can also be mailed; however, in such cases, copies of original documents have to be attested by a "gazetted Officer" or notary public (ibid. n.d.b). Applications can be submitted to passport offices or District Passport Centers (DPC) or through Speed Post Centres (ibid. n.d.e). A list of the 463 DPCs providing passport services and a list of the 1093 Speed Post Centres providing passport services can be found on the CPV Web site (ibid. n.d.l); ibid. n.d.m). The usual time it takes for a passport to be issued is five to six weeks (ibid. n.d.j).

The Web site also states that a passport can only be delivered to the applicant or sent through express courier ("speed post") to the address provided in the application form (ibid. n.d.a). Specifically, the regional passport office of Bangalore indicates that all passports are sent through express courier ("speed post") to the address mentioned in the application form and that only in the case of passports under the *Tatkaal* scheme and in other urgent cases can applicants pick up their passport at the passport office where they submitted their application (ibid. n.d.k). The *Tatkaal* scheme is the procedure used for those who need their passports to be issued expeditiously and is explained in detail below. In cases where the applicant cannot personally collect the passport for medical cases, the Bangalore office specifies that a member of the immediate family is able to pick up the passport on behalf of the applicant by providing an authorization letter signed by the applicant (ibid.).

Passport applications can also be made online for residents of the following jurisdictions: Ahmedabad, Bareilly, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Cochin, Delhi, Ghaziabad, Goa, Hyderabad, Jammu, Kolkata, Kozhikode, Lucknow, Malapuram, Mumbai, Nagpur Surat, Patna, Pune, Ranchi, Thane, Trivandrum and Vizag, (India n.d.i). Once the applicant has submitted the application online, the system will notify the applicant of an appointment date and time; the applicant has to present himself or herself to the passport office on the appointed date to pay the application fee and to provide the supporting documents (ibid.).

According to the Ministry of External Affairs, in addition to paying the applicable fee, two copies of the following documents must be submitted with the application form:

- (1) (a) proof of address (attach one of the following): applicant's ration card, certificate from Employer of reputed companies on letter head, water/telephone/electricity bill/statement of running bank account/Income Tax Assessment Order/Election Commission ID card, Spouse's passport copy, parent's passport copy in case of minors (NOTE: If any applicant submits only ration card as proof of address, it should be accompanied by one more proof of address out of the above categories).
- (b) proof of date of birth (attach one of the following): birth certificate issued by a Municipal authority or district office of the Registrar of Births and Deaths; date of birth certificate from the school last attended by the applicant or any other recognized educational institution; or an affidavit sworn before a Magistrate/Notary stating date/place of birth as per the specimen in ANNEXURE 'A' by illiterate or semi-illiterate applicants. N.B.: In the case of applicants born on or after 26.01.89, only Birth Certificate issued by the Municipal Authority or the Office of the Registrar of Births and Deaths is acceptable.
- (c) citizenship document if applicant is a citizen of India by registration or naturalization.
- (d) government/public sector/statutory body employees should submit "Identity Certificate" in original (ANNEXURE B) along with Standard Affidavit Annexure I.
- (e) if the applicant is eligible for "ECNR" [Emigration Check Not Required] attach attested copy of supporting document....

- (f) if the applicant was repatriated at Government cost, enclose documents to show that the expenditure, if any, incurred by the government of India on his/her repatriation has been fully refunded to the Government of India, Ministry of External Affairs.
- (g) if the applicant was ever deported to India, give details of Emergency Certificate/Passport.
- (2) When applying for reissue of a passport after 10 years, attach:
- (a) [original] old passport with [a] self-attested photocopy of its first four and last four pages, including ECR [Emigration Check Required]/ECNR [Emigration Check Not Required] page.
- (b) Document mentioned at (1) (d), if applicable.
- (c) Document mentioned at (1) (e), if the old passport did not have ECNR stamp or it was issued when the applicant was a minor.
- (d) If there is any change [of] address, document mentioned at (1) (a).
- (e) If the old passport does not contain [the] spouse name, copy of [the] marriage certificate issued by the Registrar of Marriage or affidavits as per specimen in Annexure 'D'. (ibid. n.d.b)

Applicants must also provide three recent colour photographs of 3.5 cm by 3.5 cm; one pasted on the application form and two pasted on the "Personal Particulars" (PP) form, which must be submitted in duplicate (ibid. n.d.c). The Ministry of External Affairs clarifies that the following are not accepted: black and white photographs, photographs in which the applicant is wearing a uniform or coloured or dark glasses, Polaroid prints and computer prints (ibid.). Illiterate applicants must include their thumb print in the signature/thumb impression box (ibid. n.d.d); men must use their left hand thumb print while women must use their right hand thumb print (ibid. n.d.c). In the case of applicants who have had more than one address during the last year, two additional photocopies of the PP form must be submitted for each additional place of residence (ibid. n.d.d). According to *The Tribune*, new passport guidelines, which took effect in December 2006, provide that police verification is no longer necessary for the re-issuance of a passport "unless there is any negative information concerning an applicant" (25 Dec. 2006). A passport is re-issued when the 10-year validity period expires (India n.d.h).

With regard to ECR/ECNR status, the Ministry of External Affairs indicates that Indian citizens who are categorized as ECR must get a clearance from the "Protector General of Emigrants" before leaving the country and an ECR stamp will be included on their passport (ibid. n.d.c.). If the passport does not have an ECR stamp, the bearer is deemed to have been granted ECNR status; no ECNR stamp is affixed on a passport (ibid.). The Web site of the Ministry of External Affairs states that the following persons are considered eligible for ECNR status:

- (I) (a) all holders of diplomatic/official passports.
- (b) all gazetted government servants.
- (c) all income-tax payers (including agricultural income-tax payees) in their individual capacity. Proof of assessment of income tax and actual payment of income tax for [the] last ... year or copy of PAN [Permanent Account Number] card to be insisted upon, and not merely payment of advance tax. However, in most cases as an assessment order is not issued separately by the income tax department, income tax returns which are stamped by income tax authorities can be accepted.
- (d) all professional degree holders, such as doctors holding MBBS degree[s] or equivalent degree[s] in ayurved or homeopathy, accredited journalists, engineers, chartered accountants, cost accountants, lecturers, teachers, scientists, advocates, etc.
- (e) spouses and dependent children of [the] category of persons listed from (b) to (d).
- (f) All persons having educational qualifications of matriculation and above.
- (g) Seamen who are in possession of CDC or Sea Cadets, Deck Cadets;
- (i) who have passed final examination of three years B.Sc. Nautical Sciences Courses at T.S. Chanakya, Mumbai; and
- (ii) who have undergone three months Pre-Sea training at any of the Government approved Training Institutes such as T.S. Chanakya, T.S. Rehman, T.S. Jawahar, MTI (SCI) and NIPM, Chennai, after production of identity cards issued by the Shipping Master, Mumbai/Kolkata/Chennai.
- (h) Persons holding Permanent Immigration Visa, such as the visas of UK, USA and Australia.
- (i) Persons possessing two years diploma from any institute recognized by the National Council for Vocational Training (NCVT) or State Council of Vocational Training (SCVT) or persons holding three

years' diploma/equivalent degree from institutions like Polytechnics recognized by Central/State Governments.

- (j) Nurses possessing qualifications recognized under the Indian Nursing Council Act. 1947.
- (k) All persons above the age of 50 years.
- (I) All persons who have been staying abroad for more than three years (the period of three years could be either in one stretch or broken) and their spouses.
- (m) All children up to the age of 18 years of age. (At the time of re-issue at the age of 18 years, ECR stamping shall be done, if applicable).
- (II) No emigration clearance is required for visiting Bangladesh, Pakistan and all countries in Europe (excluding [Commonwealth of Independent States] CIS states), North America, Australia, Japan, New Zealand, South Korea, South Africa and Singapore.

The eligible category should be mentioned in the blank space provided under this column and supportive documents should be attached with the application. It may be mentioned that passport holders with 'ECR' endorsement traveling to countries other than mentioned above for any non-employment purposes are required to have the 'ECR' endorsement suspended each time from the offices of the Protector of Emigrants (POE) or designated Passport Offices, before they undertake the travel. For employment purposes, such passport holders require emigration clearance from the offices of POEs. Otherwise, they will be stopped from traveling at the port of exit. Applicants are, therefore, advised to apply for ECNR, if they are eligible, to ensure hassle-free travel abroad. It may be noted that the passport booklet will only have [the] ECR category stamped and in case the passport booklet does not have [the] ECR stamp, the applicant would be deemed to have been granted ECNR status. (India n.d.c)

Tatkaal scheme

The *Tatkaal* scheme was introduced on 1 January 2000 to issue passports in an expeditious way (India n.d.f; ibid n.d.g). Depending on the type of passport required, a passport under the *Tatkaal* scheme could be issued within one to seven days or eight to 14 days of the application with an additional fee to be paid accordingly (ibid. n.d.h). *Hindustan Times* indicates that passports can only be issued under the *Tatkaal* scheme for cases that do not require a police verification report (i.e., minors less than 15 years of age) or where police verification can be completed after the passport is issued (15 Feb. 2007; see also *Hindustan Times* 22 Dec. 2006). According to the same newspaper, passports would be issued under the *Tatkaal* scheme where there is a "genuine urgency" and would include the following categories:

- i. Patients requiring to go abroad for medical treatment or consultation (without any enhanced fee);
- ii. Close relatives of a person residing abroad who is seriously ill or is in maternity confinement.
- iii. In case of death abroad of a close relative (spouse, father, mother, children, children's spouses, grand children, brothers and their spouses, and sisters and their spouses) of applicant (without any enhanced fee)
- iv. Businessmen wishing to travel abroad urgently for trade conferences, trade fairs/exhibitions, export/import or seminars.
- v. Students requiring a passport for appearing in examinations such as SAT (without any enhanced fee if the earnings of the parents/guardian of the student applicant is less than Rs.2000/- per month);
- vi. Students going abroad to join foreign universities (without any enhanced fee if the earnings of the parents/guardian of the student applicant is less than Rs.2000/- per month);
- $\label{eq:continuous} \mbox{vii. Spouse, parents, parents-in-law, children, brother, sister, brother-in-law and sister-in-law of individuals working abroad;}$
- viii. Winners of promotional awards and schemes where foreign travel is a prize/incentive;
- ix. Spouses of officials/passport holders going abroad availing of companion ticket;
- x. Pilgrims and journeys for religious purposes;
- xi. For marriage or honeymoon after marriage;
- xii. Individuals wishing to go abroad to attend marriage of relatives such as children, grand children, brother, sister, niece or nephew;

xiii. For employment, project work, interviews, training, conferences, seminars and any other work in their professional capacity e.g. journalists, employees of public/private sector, air/ship crew, charity workers, film persons;

- xiv. Cultural troupes for performance abroad;
- xv. Individual as well as groups on Study Tour;
- xvi. All infants/minors accompanying their parent(s)/guardian;
- xvii. Businessmen and their spouses for incentive tours and Dealers' Conferences;
- xviii. Sports persons and accompanying officials, managers, trainers, doctors etc. going abroad to participate in an international event or for training;
- xix. Employees and their dependants who get free passage tickets; and

Other cases approved by the Chief Passport Officer. (Hindustan Times 15 Feb. 2007)

The CPV Division indicates the following regarding the procedure to obtain a passport under the *Tatkaal* scheme:

- (A) If an applicant desires to obtain his passport under the Tatkaal Scheme, a verification certificate as per the specimen at **Annexure 'F'** and standard affidavit as **Annexure "I"** should be submitted along with the TATKAAL fee. The Passport Issuing Authority shall retain the right to verify in writing the authenticity of the Verification Certificate from the official who has issued it. All applicants seeking a passport out of turn under the TATKAAL Scheme are advised to submit their application, documentation and fee as specified below. No proof of urgency is required for Out-of-Turn issue of [a] passport. Post Police Verification shall be done in respect of all passports issued under the Tatkaal Scheme.
- (B) The applicant also has the option to obtain a passport under Tatkaal Scheme on submission of three documents from the fourteen documents ... mentioned below, provided one of the three documents is a photo identity document and at least one of the three is amongst the documents indicated at (a) to (i) and a standard affidavit (**Annexure "I"**) on non-judicial stamp paper duly attested by a Notary:
- (a) Electors Photo Identity Card (EPIC);
- (b) Service Identity Card issued by State/Central Government, Public Sector Undertakings, local bodies or Public Limited Companies;
- (c) SC/ST/OBC Certificates;
- (d) Freedom Fighter Identity Cards;
- (e) Arms Licenses;
- (f) Property Documents such as Pattas, Registered Deeds etc.;
- (g) Rations Cards;
- (h) Pension Documents such as ex-servicemen's Pension Book/Pension Payment order, ex-servicemen's Widow/Dependent Certificates, Old Age Pension Order, Widow Pension Order;
- (i) Railway Identity Cards;
- (j) Income Tax Identity (PAN) Cards [also known as Permanent Account Number Cards];
- (k) Bank/Kisan/Post Office Passbooks;
- (I) Student Identity Cards issued by Recognized Educational Institutions;
- (m) Driving Licenses; and
- (n) Birth Certificates issued under the RBD Act.
- (All above documents to be produced in original along with self-attested copies). (ibid. n.d.h)

A copy of "Annexure F" and "Annexure I" are attached to this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the

merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: The Ministry of External Affairs of India did not provide information within the time constraints of this Response.

Internet sites, including: Keesing's Reference Systems, *The Indian Express* [New Delhi], *The Pioneer* [New Delhi], *The Times of India* [Haryana].

Attachments

India. N.d.n. Ministry of External Affairs, Consular, Passport and Visa (CPV) Division. "Annexure 'F': Specimen Verification Certificate (for Passport under Tatkal Only)." http://passport.gov.in/cpv/ANNEXUREF_vc_tatkaal.htm [Accessed 7 Mar. 2007], 3 pp.

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